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ABSTRACT

Ethnographic interviews were conducted to determine how criminals assessed their treatment by the media. Twenty-five inmates, all participants in a mass media communications journalism course at Pendleton Reformatory in Pendleton, Indiana, were videotaped while answering the question: How do you regard the treatment given you by the media during your arrest, trial and incarceration? Of the 25 interview subjects, 17 reported negative experiences with the media, four had good and bad reports, three expressed only positive feelings and one avoided the subject by talking about good public relations techniques. Ten conclusions were drawn from the taped interviews. They include: fairness, thoroughness, and objectivity should be observed by the media, including fairness to the victim, the law enforcement people, the prosecutor, the judge, the court and the criminals; and reporters should dig deeper for the facts and not just settle for handouts from the authorities. (Thirty-eight notes are included.) (MG)

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VISCOM Division

"Criminals assess their treatment by the media"

by

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Criminals Assess Their Treatment by the Media

It is an easy guess that a random sample interview with prisoners in the nation's 1,019 federal and state prisons would produce agreement that each had received unfair treatment from the media in connection with their arrests, trials, convictions and incarcerations.

However, a study of 138 male inmates at the Central Missouri Corrections Center in Jefferson City, Missouri, revealed that while half said they did not get a fair trial, only three blamed "unfair press coverage" Poor defense was the principal reason.[1]

Did this apply only to the trial or to the original arrest when the publicity may have been one sided in favor of the arresting officers? May be the longer a trial was in the news, the fairer the trial coverage became.

An opportunity to find out first hand what 25 inmates felt about the total media coverage in their individual cases presented itself when this writer taught a Mass Media Communications journalism course at Pendleton Reformatory, a medium size prison with 1600 inmates in Pendleton, Indiana, a few miles northeast of Indianapolis.

The subject of a videotaping session came up towards the end of the 11 week course. It was after the 25 students in Ball State University's Continuing Education Program had discussed and read most of the chapters in the DeFleur/Dennis text Understanding Mass Communication 2nd edition. The students had discussed various aspects of the press, radio, television, magazines, wire services, syndicates, books and motion pictures.

At this point the author obtained permission of prison officials to bring a Camcorder through the five locked doors and into the prison college classroom.

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1. Regina Ganelle Sherard "Fair Press or Trial Prejudice? Perceptions of Criminal Defendants," Journalism Quarterly. Vol 64 2/3 1987 p 340.

The men were accustomed to video. Portions of the lecture period had meant trips up the stairs to a high school classroom that contained a locked VCR and monitor, where the men viewed professional journalism tapes as well as media personnel interviews conducted by their professor.

The day of the videotaping the students were told the ground rules. The students would operate the camera. Each man who wanted to appear--it was voluntary--would have several minutes. Those who did not want their faces to appear could elect to ask the cameraman to put the lense cap back on the Camcorder.

The question each was to answer was, "How do you regard the treatment given you by the media during your arrest, trial and incarceration?"

Methodology

The interview style was ethnographic, the same approach filmmaker-author Peter Davis used in nearby Muncie, Indiana, earlier in the 1980's when he made six films on Middletown. Muncie as Middletown was immortalized by Robert and Helen Lynd with their two Middletown books that documented life in the Middle West at that time. Most of these prisoners are products of that same Middle America and have many of the same interests and attitudes as those in the free world of Middle America.

There were no prison guards or administrators present during the taping. The students sat at tables in a U shape with the camera and subject inside the U. Each participant did have to face his peers as they listened, watched and reacted. Their reaction to this experience was enthusiastic and positive. It, the camera, was listening to their opinions in a society where the inmates opinion is of no concern to prison guards and officials.

One bias to this study is that these men were not typical prisoners. As students in a college program, they were highly motivated. They also were more verbal than other prisoners at Pendleton, but this would make them better able to articulate the feelings of their fellow prisoners about past dealings with the media.

Just as peer pressure could have inhibited some, the same pressure also could have produced more truthful comments to "tell it like it really happened."

The Details

The 25 subjects included eight blacks and 17 whites, mostly in the 18 to 31 age group. The oldest was 45. These men were part of a total United States prison population of 547,000 inmates in 1,019 state and federal prisons and another 273,000 in local jails.[2] Most are males.

Of the interview subjects, 17 reported negative experiences with the media, four had good and bad reports, three expressed only positive feelings and one avoided the subject by talking about good public relations techniques, never once mentioning his situation.

However, this same student later earned his bachelor's degree behind bars and is now a graduate student, a first. In a very thoughtful 6,000 word independent study paper written for this author on "Conflict ...in the Penal Environment" explained: "Prison is an environment similar to a jungle, but a jungle without foliage, leaves, or branches to hide behind or to mask movements and actions..conflict exists at a much more intense and dangerous level in prison."[3]

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2. Frederick Talbott "Reporting from behind the walls," The Quill, Feb. 1988 p 16-20.
3. Jon Taylor "Conflict: Methodology, Process and Resolution in the Penal Environment" unpublished paper. 1989 p 3-5.

One of the main complaints from those who reacted negatively was police blotter method for reporting on crime. As any ex-newspaper person knows, this is a problem in covering this beat. Law enforcement officers are the main source of news on the subject.

Author Doris Graber agrees, saying:

> Most of these crime stories read like police blotter reports peopled by remote, impersonal, motiveless figures. One rarely encounters flesh-and-blood human beings who are involved in the drama of crime and victimization. The human conditions surrounding the crime are usually skipped, except when the crime is a freakish one or involves an unlikely victim or a socially prominent person.[4]

"'Reviewing police blotters (for crime news) is economical,'" said Talbott, quoting Hans Toch of the Department of Criminal Justice at the State University of New York in Albany.[5]

Despite the police blotter sources, reporters of crime news have a real responsibility for accuracy, a fact a majority of the prisoners in this study think they do not assume.

"A relatively small percentage of people deal directly with the justice system and therefore the general public's knowledge of justice is drawn significantly from the media," commented Ray Surrette.[6]

That small number of persons--police, court officials, reporters--have a tremendous challenge in informing the public, the readers and the viewers/listeners about what has happened.

In her introduction in the book, Crime News and the Public, Doris Graber stated:

> Knowledge about the nature of crime news and its impact on the images that people form about crime is needed for several reasons.

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4. Doris A. Graber Crime News and the Public. (New York: Praeger, 1980), p-47.
5. Talbott op cit.
6. Ray Surette ed. Justice and the Media. (Springfield, IL: Charles C. Thomas Publisher, 1984), p-5.

> In the first place, in a democratic society, people need to know whether their main information channels provide adequate and accurate news to permit them to be well informed on matters of general concern. Crime is such a matter. It has been a major concern of the U.S. public since the mid-1960's because of its high human and property costs. In Gallup poll reports about the public's choices of the most important issues facing the United States, crime has received 2 to 29 percent of the votes in the past ten years.[7]

A strong point in Talbott's Quill article was a plea for better coverage of prisons and prison populations on a regular basis, not just when prison riots occur as "last year" at Atlanta and Louisiana. His plea also applies to better, more accurate and human coverage of criminals everywhere with their arrests, convictions and incarcerations.

"Does the public care?" he asked. "May be. May be not. Perhaps because of the media's poor performance, the public doesn't know enough to care."[8]

Talbott said "consider a fact so obvious that it may be overlooked" and he cited the quote, "'the reason you need to understand prisons is that well over 90 percent of those people who are in are going to come out'" from David Altheide of Arizona State's School of Justice Studies.[9]

One Pendleton inmate is still bitter about the inaccuracies in the coverage of his case. He explained:

> My charge is bank robbery for which I received 20 years...I feel the (blank) newspaper totally disregarded the facts or chose to ignore them..there were a few discrepencies. They said a shotgun was found..there never was a shotgun and the money, $6,000 taken was wrong. It turned out to be 10,400 dollars.

He held up a frayed clipping which he had kept in his prison cell these many months to illustrate his point:

> A picture appeared on the front page and gave the impression I was arrested at the bank instead of at a private residence.

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7. Graber op cit. p-xiv.
8. Talbott op cit.
9. ibid.

> ...I think a newspaper has an obligation to investigate the facts before printing and be more concerned about the truth instead of sensationalizing. I tend to agree with Thoreau that news is no more than gossip.[10]

A black prisoner had this criticism of his trial coverage in one of Indiana's large cities:

> When I bent down to wipe the sweat from my eyes, the reporter said I was wiping tears from my eyes and crying in my chair during the sentencing. It may have been a mistake, but it was a bad mistake. The worst part was the way my fellow inmates treated me saying I was a cry baby after reading the evening paper..the reporter made it hard for me in the first year in jail..everywhere I went they said I was a cry baby. I almost got into a fist fight to prove I was not a cry baby. The reporter made a mistake saying I was crying when I was not.[11]

A white inmate who complained about inaccuracies "after being exposed to the media in 1982" said:

> They say two wrongs don't make a right, but what right does a reporter have to report and write false representations toward the individual without consulting with the person and finding the real truth. This happened in a small town, but that does not give the media the right for misrepresentation...I feel the process of information has a way of changing a mans love to hate or love thy neighbor to hate thy neighbor. The media has the power to manipulate the world.[12]

A white prisoner-mass media student commented:

> The media was used as a tool in my instance by the prosecutor and the police to convict me, so I have several negative opinions of the media but also have some positives of the media such as public broadcasting..textbooks, novels, other books, magazines and newspapers to keep you up to date. Reporters have a tendency to be lazy or not objective, going to the prosecutor's office or police..to get official word..the media sort of helps bring in a conviction before the trial.[13]

A black prisoner with an eloquent speaking voice discussed the media indifference toward the prison community, saying, "most stories told by the media focus on violence. However, there are no efforts by the media to search for underlying causes..contributing to violence."

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10. Frederick A. Woodress. Videotape. Pendleton Reformatory. April 15, 1987.
11. ibid.
12. ibid.
13. ibid.

This man strongly advocated Aids testing in prison, saying there were five cases not tested that had entered the community. He said one had been in prison since 1984, moved out, the air was not cleaned and bedding not changed. He said one man murdered himself. "Why? Out." [14]

A black student who did not want his face shown on camera said:

> The media is somewhat biased against minorities. They tend to talk about bad things minority people do..there never seems to be anything wrong going on in the elite world..they seem to neglect achievements that minorities are making in this country..they neglect achievements being made in prisons.

He suggested "better funding for prison school" and other type organization programs in prison. Remembering his Mass Media course work, he summarized "the media was first started for a particular elite group and is still based on that fact."[15]

This attitude expressed by the student among minority prisoners is widespread, according to Dae Chang and Warren Armstrong. In their book, The Prison Voices from the Inside, they quoted the same view from a prisoner:

> I think a very appropriate cliche for the court system is: 'justice opens her eyes for those with the gold--and don't be black!'but money it seems..hasacertain 'passport' effect. ..a person who has committed a crime is treated with, let's say--more respect. But a poor black man, on the other hand, is considered (as I have seen) as representing a stereotyped image which portrays all blacks as no-gooders, misfits who should be thankful for the privileges this great and rich nation grants them. It should be noted that the black man is in the minority in this state, but yet he makes up over half the prison population. Can it be said that the courts discriminate? [16]

The prisoners have a point here, but Talbott says images of prisons based on Jimmy Cagney movies is one problem that causes reporters to have stereotypes.

He said "class bias often may also affect prison coverage."

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14. ibid.
15. ibid.
16. Dae H. Chang and Warren Armstrong eds. The Prison Voices from the Inside. (Cambridge, MA: Schenkman Publishing Co., 1972), p-186.

"And must be done away with," explaining that "in recent decades, journalists increasingly have been drawn from middle- and upper-income sectors."

Talbott asked the question, "how many reporters, editors and producers have had a relative, a neighbor or family friend in prison? How many have had any direct knowledge of prisons?"[17]

This certainly applies to coverage of all criminals from arrest to Conviction, the point being made by the Pendleton inmate mass media students.

A white student who elected to leave the lense cap on the camera agreed about questioning the integrity of the media but said "I do find some positive things in the media..the entertainment..the music, the operas, programs like 'Sesame Street,' the arts and things we don't come in contact with outside the home."

Best of all that he liked was sports. "Most of us here are into sports. I still appreciate shows like '60 Minutes' and '20-20.' Although there is a lot of negative, I try to dwell on the positive." [18]

"I want to talk about the positive versus the negative in the media" explained a black student.

> During this era of television the American people get a lot of insights from TV. During the 60's they saw the demonstrations of the Civil Rights movement and the war in Vietnam and all of it had different types of effects on the American people.. I think the media is a very positive aspect of American life. ..There are times when the media can be very biased in the coverage of individuals as the media did a very bad job of covering my case, but once the facts and details were presented, I think they were helpful to me. They should try to gather more facts about a certain story before they cover it.[19]

A white inmate talked about how newspapers are pushing young people toward a goal. He said "today's TV and news coverage makes it

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17. Talbott op cit.
18. Woodress op cit.
19. ibid.

fun for young people to want to learn while in high school or college..Try to achieve what we can while we are young so that when we do get older--30 or 32--we can start thinking about kicking back and relaxing instead of worrying about what we should have gotten when we were younger."[20]

"I don't like my picture being shown," asserted a white subject. He said the "problem with the media is do they print opinions or facts on a lot of criminals who are arrested?" He said he felt the wealthy were treated better when they commit crimes.[21]

Another one of the 17 white prisoners asked:

> How much do we know about the media? We know very little. We tend to believe what the newspapers say..as well as the newscasts on television and radio. Some of us have even experienced the media personally on being arrested and reading about it..or seeing it on TV. Then only then a lot of us realized how incorrect the media can be. Why wait for such an experience with the media to open our eyes so we can be more familiar with our country and the world itself so we can weigh pro and con intelligently and ask intelligent questions and receive answers to the media coverage of the Iran-Contra arms scandal. How much of it is really true and what scandal will the media cover next?[22]

One of the eight black mass media students said "I feel very fortunate to being born in the era of media. Think of my ancestors and the lack of knowledge due to the lack of communication with one another..due to media influences, the media do set the agenda for our daily life styles."[23]

A second black student termed "the media an historical contributor to current events..today, people take the presence of media everywhere for granted,but sometimes this has serious consequences for individuals."

He said "those in the public eye such as celebrities or accused

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20.ibid.
21.ibid.
22.ibid.
23.ibid.

criminals can expect to face bizarre encounters with the media..I myself was a victim of media in a highly publicized trial that the media had blown circumstances out of proportion."[24]

A white prison inmate is still disgusted with the way the media covered an action that he was "ashamed of." He said they should show "both sides" of a story.

"In my case they should have done that. They didn't come into the jail. They knew where you are to get the story. They got facts that never happened, and I got charged and convicted and it made me look callous and brutal which I am not."[25]

After listening to the Pendleton prisoners tell their experiences, one begins to wonder who to believe.

Talbott addressed this question, saying "part of the complexity for reporters stems from the simple ambiguity of not knowing precisely how to judge the reliability of sources. Convicts are notorious for their ability to con outsiders."

He also added that "prison officials and prison-reform activists have their own axes to hone."

The problem of getting the correct facts in an arrest, trial and incarceration or, as Talbott wrote, "in a prison story may be an exceedingly long and frustrating process, a fact that does not enchant managing editors and news directors."[26]

The only student in the class with some background in media was disgusted with the notoreity of his case which was in the dailies, on TV and radio for six months time. He commented:

> It is my honest opinion journalists are very biased when reporting on crime suspects. The facts they present are favorable to the state. They omit facts that would show

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24. ibid.
25. ibid.
26. Talbott op cit.

> innocence to the suspect or manipulate facts. I found myself in this situation in the early part of 1979. The media followed my case from arrest to conviction and sentencing and they gave me a very raw deal. The journalists were not fair in reporting, constantly rearranging....facts that made the sheriff's department look good. I believe journalists should be completely fair in reporting crimes..I believe they should use more investigative style concerning crime so everybody has a fair shake.[27]

A black prisoner said the "media can help you or break you... in my case the media didn't help me, but it didn't hurt me either."[28]

However, one of the 17 white inmates felt he got a bad wrap from his hometown newspaper "because the owner was friends with the victim of my crime..so the newspaper slanted against me."

He related:

> As a juvenile they were not supposed to use my name in the papers. When I was arrested,they used my name and put my picture on the front page. They handcuffed me with another person arrested for murder, and he had a very sick case..I had drugs in my case, and they would put bad articles about drugs on one side and an article about me on the other..the newspaper owner encouraged it..they used it against me in court. I admit I wasn't exactly a good influence on the community.[29]

A black man with video charisma summed up what the media means to him:

> What is mass media? It is the ability to control or influence people or opinion to your own ends..it is the dominent means of communication..communication is about getting your message across. I represent a media, you represent a mass. I can control or influence some of you in your heart and mind. Next time you experience one of today's media, ask yourself what truly is the message being presented? Am I being an unwitting pawn to the hidden manipulations, and in answering that question, are the net results good or bad?[30]

A young white man said, "I am anti intellectual. The media is one of the main sources of our information..and it's all a bunch of propaganda whether it's communist or any other."

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27. Woodress op cit.
28. ibid.
29. ibid.
30. ibid.

"I wouldn't give you a dime for the whole thing," he summarized, but added "but it's worth it because you have to read between the lines."[31]

Another white inmate who was raised as a military dependent overseas waxed poetically about how living in Europe without American television was a blessing in disguise. He learned to read and use his imagination and spent "many an evening listening to old radio shows on the Armed Forces Network. Because of this imagination I began to enjoy sports.

"I enjoyed being a Walter Mitty and putting myself in a game." Now that he is in prison he can do the same.[32]

A fellow white inmate loved his radio for different reasons. He related:

> When I came here in 1979, they took my TV away from me. TV means a lot. I got a TV seven years later, and I said, damn, I missed so much. I think it's a disgrace. Now I wish I hadn't bought it. Could have bought something else. I would not have lasted so long but my radio is in good condition. I had radio for seven years.[33]

A professional man in the group of 17 whites in the class had observations about the media both inside and outside the prison. While in Chicago he observed a magazine writer substituting his own views for those obtained in an interview with him about the products they had discussed.

The other experience involved an Indianapolis reporter writing a story quoting prisoners in Pendleton on gun control. He said he and another man had minor quotes but those from a third gentleman were taken out of context and "he was quite upset."

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31. ibid.
32. ibid.
33. ibid.

He said "the comment I made was directly quoted, and I felt it was very informative and straightforward by the editor and reporter."[34]

A black inmate student asserted, "I have no desire to have my photograph used without my discretion or consent," so the lense cap stayed on during his talk. He said local stations "have a tendency to broadcast news and information that will benefit their goal concepts and self interest..the media per se on a national level produces news that is oriented towards their own concepts."[35]

The last of the 17 whites to stand before the camera commented:

> The media is an excellent way to gain knowledge and receive entertainment. If it is used incorrectly, it can harm many people in the process of helping a few...the people of America are very gullible and just because they read in a newspaper or hear on radio or TV it has to be true..the whole truth can never be found in the media because the reporters and editors don't have enough time to investigate thoroughly, so they take information from various sources and have to decide which is most believable.[36]

The most surprising comment came from a bright young black man who grew up in a university town, where he had a good experience with public broadcasting, but after his arrest and conviction, he explained:

> The media downplayed all the good parts of my life and focused on the mistakes of my life..my dealings with the media have turned me against the media. I see no factors with media helpful to people except the life style section.

He concluded his remarks with "nothing the media has shown me will help or benefit. I am sorry I even took this class..this class has shown me I don't want anything to do with the media. I prefer to deal with people on a one to one and in small groups. The media has a tendency to change the truth."[37]

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34. ibid.
35. ibid.
36. ibid.
37. ibid.

However, another black student viewed the taping as an audition and commented, "I think I have a career in journalism. I like to write and appear before camera." Several others also proved they, too, had charisma on camera.

Summary

One might question this unscientific ethnographic study in light of the many citations from the Journalism Quarterly Sherard article citing the history of other studies showing that pre-trial publicity did not hurt criminals and their trials.[1]

Yet, it is interesting that many of the points raised by authors Talbott, Graber, Surette and Chang and Armstrong were the same points discussed by the mass media students at Pendleton.

Some conclusions can be drawn from these taped interviews. They are:

1. From the suspects point of view, there are a number of inaccuracies in media reports of criminal actions.

2. Reporters need to remember when they get most of their information from police or prosecutors that these sources also have a definite bias.

3. Many reporters do not even consider asking the suspect for facts, interviews or verification of details about a crime even when he is lodged nearby in a local jail.

4. Reporters should dig deeper for the facts and not just settle for handouts from authorities.

5. The public needs to be better informed on crime coverage with very thorough, impartial coverage.

6. Reporters tend to have stereotyped views of criminals based on movies.

7. Since so many news people come from middle and upper class homes, it is difficult for them to understand and have empathy with the criminals.

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1. Sherard op cit.

8. Minorities feel they are mistreated by law enforcement, in the courts and with the media; reporters should keep this in mind.

9. There is a perception that the rich or elite get unfair advantages in criminal cases; reporters should be ever alert to these discrepencies and report them.

10. Reporters should be fair, accurate and considerate in covering criminal actions, remembering that mistaken facts not only affect the criminals but their families who quietly suffer in their hometowns.

In conclusion, fairness, thoroughness and objectivity should be observed by the media and this means fairness to the victim, the law enforcement people, the prosecutor, the judge, the court and the criminals. Then no one can complain about treatment by the media.

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